

**DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

- My residence, post office address and citizenship are as stated below next to my name.
- I believe I am an original, first and sole Inventor of the subject matter which is claimed and for which a patent is sought on the Invention entitled "Improved Clonal cell lines Established from BTI-Tn5B1-4", the specification of which

☐ is attached hereto

☒ was filed on 11/14/2003 as

☐ United States Application Number

☒ PCT International Application Number PCT/US03/36395

☐ was amended on

- I hereby state that I have reviewed and understand the contents of the above-identified application, including the claims and the drawing, as amended by any amendment specifically referred to herein.
- I acknowledge the duty to disclose information which is material to patentability, as defined in 37 CFR §1.56. If this application claims priority from a prior application, I acknowledge the duty to disclose information which is material to patentability, as defined 37 CFR §1.56, which became available between the filing date of the prior application and the date of this application.
- As to the subject matter of this application:
  - a. I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof;
  - b. I do not know and do not believe that the same was ever patented or described in any printed publication in any country before my invention thereof, or more than one year prior to the date of this application;
  - c. I do not know and do not believe that the same was in public use or on sale in the United States of America more than one year prior to the date of this application; and
  - d. Said subject matter has not been patented or made the subject of an inventor's certificate issued in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months prior to the date of this application.

[ X ] I hereby claim the benefit under 35 USC §119(e) of any United States provisional application listed below.

Application Number	Filing Date (MM/DD/YYYY)
60/426,535	11/15/2002

**Please associate this application with USPTO Customer Number 020808**

I hereby appoint the registered attorneys and agents associated with USPTO Customer Number 020808 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

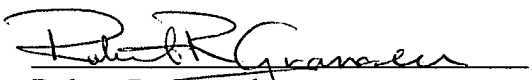
- Address all telephone calls to Meghan Van Leeuwen at telephone number 607-256-2000.
- Fax communications should be sent to telephone number 607-256-3628.

"Recognizing that Internet communications are not secured, I hereby authorize the PTO to communicate with me concerning any subject matter of this application by electronic mail. I understand that a copy of these communications will be made of record in the application file"

- E-mail communications should be addressed to: [docket@bpmlegal.com](mailto:docket@bpmlegal.com).
- Address all correspondence to USPTO Customer Number 020808.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1 - 00 Full name of first or sole Inventor: Robert R. Granados  
Residence: Ithaca, New York NY  
Citizenship: USA  
Post Office Address: 5 Eagle's Head Road, Ithaca, New York 14850

  
Robert R. Granados

April 14, 2005  
Date

In re Application of: Robert R. Granados

Serial No.:

Filing Date:

Title: Improved Clonal cell lines Established from BTI-Tn5B1-4

Art Unit:

Examiner:

### POWER OF ATTORNEY FOR PATENT APPLICATION

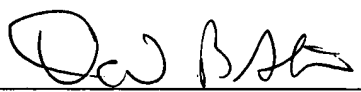
Boyce Thompson Institute for Plant Research, a Non-Profit corporation of New York , having offices at Tower Road, Ithaca NY, 14850, as assignee of the above-named US patent application, hereby appoints the registered attorneys and agents associated with USPTO Customer Number 020808 to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

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- Address all correspondence to USPTO Customer Number 020808.

Signed,  
Boyce Thompson Institute for Plant Research

By:   
Name: David B. Stern, President  
Date: April 12, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**STATEMENT UNDER 37 CFR 3.73(b)**

Robert R. Granados

Applicant/Patent Owner: \_\_\_\_\_

Application No./Patent No.: \_\_\_\_\_ Filed/Issue Date: \_\_\_\_\_

Entitled: Improved Clonal Cell Lines Established From BTI-Tn5B1-4

Boyce Thompson Institute for \_\_\_\_\_, a Non-Profit Corporation  
(Name of Assignee) Plant Research (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %  
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

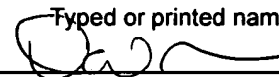
April 12, 2005

Date  
(607) 254-1306

Telephone number

David Stern

Typed or printed name



Signature

President

Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## ASSIGNMENT AND AGREEMENT

For value received, I, Robert R. Granados, of Ithaca in the State of New York, hereby sell, assign and transfer to Boyce Thompson Institute for Plant Research, Inc., having an office at Tower Road, Ithaca NY, 14850, and its successors, assigns and legal representatives (hereinafter referred to as the "Assignee"), the entire right, title and interest, for the United States of America, in and to certain inventions related to the "Improved Clonal cell lines Established from BTI-Tn5B1-4" described in an application for Letters Patent of the United States, executed by me of even date here with, and all the rights and privileges in said application and under any and all Letters Patent that may be granted in the United States for said inventions; and I also concurrently hereby sell, assign and transfer to Assignee the entire right, title and interest in and to said inventions for all countries foreign to the United States, including all rights of priority arising from the application aforesaid, and all the rights and privileges under any and all forms of protection, including Letters Patent, that may be granted in said countries foreign to the United States for said inventions.

I authorize Assignee to make application for such protection in its own name and maintain such protection in any and all countries foreign to the United States, and to invoke and claim for any application for patent or other form of protection for said inventions, without further authorization from me, any and all benefits, including the right of priority provided by any and all treaties, conventions, or agreements.

I hereby consent that a copy of this assignment shall be deemed a full legal and formal equivalent of any document which may be required in any country in proof of the right of Assignee to apply for patent or other form of protection for said inventions and to claim the aforesaid benefit of the right of priority.

I request that any and all patents for said inventions be issued to Assignee in the United States and in all countries foreign to the United States, or to such nominees as Assignee may designate.

I agree that, when requested, I shall, without charge to Assignee, but at its expense, sign all papers, and do all acts which may be necessary, desirable or convenient in connection with said applications, patents, or other forms of protection.



Name: Robert R. Granados

Date: April 14, 2005